



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
John F. SWIGART, et al.) Group Art Unit: 3728
Serial No. 10/633,361) Examiner: TBD
Filed: August 4, 2003) Docket No. 005127.85920
For: FOOTWEAR SOLE INCORPORATING)
A CUSHIONING COMPONENT)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313

Sir:

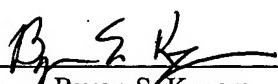
Pursuant to the duty of disclosure set forth in 37 C.F.R. §1.56(a), applicants submit the documents cited on the attached PTO-1449 form and respectfully request that the Examiner consider these documents. Because this application was filed after July 1, 2003, only foreign references and publications are attached hereto.

This Information Disclosure Statement is being filed prior to the mailing date of a first Office Action on the merits under 37 C.F.R. §1.97(b)(3) and, therefore, neither a certification under 37 C.F.R. §1.97(e) nor a fee under 37 C.F.R. §1.17(p) is required. Should a fee be deemed necessary for consideration of this Information Disclosure Statement, however, the Commissioner is authorized to debit deposit account number 19-0733.

Applicants respectfully request that the documents cited on the attached PTO-1449 form be made officially of record, and that a listing of the documents appear on the face of any patent that may issue from this application.

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Respectfully submitted,

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Sheet 1 of 7

FORM PTO-1449 US DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 005127.85920	SERIAL NO. 10/633,361
INFORMATION DISCLOSURE BY APPLICANT		APPLICANT John Swigart, et al.	
(Use several sheets if necessary)		FILING DATE 8/4/03	GROUP 3728

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	900,867	10/1908	Miller			
	1,069,001	7/1913	Guy			
	1,240,153	9/1917	Olsen			
	1,304,915	5/1919	Spinney			
	1,323,610	12/1919	Price			
	1,514,468	11/1924	Schopf			
	1,584,034	5/1926	Klotz			
	1,625,582	4/1927	Anderson			
	1,625,810	4/1927	Krichbaum			
	1,869,257	7/1932	Hitzler			
	1,916,483	7/1933	Krichbaum			
	1,970,803	8/1934	Johnson			
	2,004,906	6/1935	Simister			
	2,080,469	5/1937	Gilbert			
	2,086,389	7/1937	Pearson			
	2,269,342	1/1942	Johnson			
	2,365,807	12/1944	Dialynas			
	2,488,382	11/1949	Davis			
	2,546,827	3/1951	Lavinthal			
	2,600,239	6/1952	Gilbert			
	2,645,865	7/1953	Town			
	2,677,906	5/1954	Reed			
	2,703,770	3/1955	Melzer			
	2,748,401	6/1956	Winstead			

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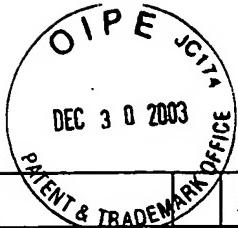
ENT & TRADEMARK OFFICE						
	2,762,134	9/1956	Town			
	3,030,640	4/1962	Gosman			
	3,048,514	8/1962	Bentele et al.			
	3,120,712	2/1964	Menken			
	3,121,430	2/1964	O'Reilly			
	3,204,678	9/1965	Worcester			
	3,251,076	5/1966	Burke			
	3,284,264	11/1966	O'Rourke			
	3,335,045	8/1967	Post			
	3,366,525	1/1968	Jackson			
	3,469,576	9/1969	Smith et al.			
	3,568,227	3/1971	Dunham			
	3,589,037	6/1971	Gallagher			
	3,608,215	9/1971	Fukuoka			
	3,685,176	8/1972	Rudy			
	3,758,964	9/1973	Nishimura			
	3,765,422	10/1973	Smith			
	4,017,931	4/1977	Golden			
	4,054,960	10/1977	Pettit et al.			
	4,115,934	9/1978	Hall			
	4,129,951	12/1978	Petrosky			
	4,167,795	9/1979	Lambert, Jr.			
	4,183,156	1/1980	Rudy			
	4,187,620	2/1980	Seiner			
	4,217,705	8/1980	Donzis			
	4,219,945	9/1980	Rudy			
	4,271,606	6/1981	Rudy			
	4,287,250	9/1981	Rudy			
	4,292,702	10/1981	Phillips			
	4,297,797	11/1981	Meyers			
	4,305,212	12/1981	Coomer			
	4,328,599	5/1982	Mollura			
	4,358,902	11/1982	Cole et al.			
	4,431,003	2/1984	Sztancsik			



	4,446,634	5/1984	Johnson et al.			
	4,458,430	7/1984	Peterson			
	4,483,030	11/1984	Plick et al.			
	4,486,964	12/1984	Rudy			
	4,506,460	3/1985	Rudy			
	4,547,919	10/1985	Wang			
	4,662,087	5/1987	Beuch			
	4,670,995	6/1987	Huang			
	4,686,130	8/1987	Kon			
	4,722,131	2/1988	Huang			
	4,744,157	5/1988	Dubner			
	4,779,359	10/1988	Famolare, Jr.			
	4,782,602	11/1988	Lakic			
	4,803,029	2/1989	Iversen et al.			
	4,817,304	4/1989	Parker et al.			
	4,823,482	4/1989	Lakic			
	4,845,338	7/1989	Lakic			
	4,845,861	7/1989	Moumgdjian			
	4,874,640	10/1989	Donzis			
	4,891,855	1/1990	Cheng-Chung			
	4,906,502	3/1990	Rudy			
	4,912,861	4/1990	Huang			
	4,936,029	6/1990	Rudy			
	4,965,899	10/1990	Sekido et al.			
	4,972,611	11/1990	Swartz et al.			
	4,991,317	2/1991	Lakic			
	4,999,931	3/1991	Vermeulen			
	4,999,932	3/1991	Grim			
	5,014,449	5/1991	Richard et al.			
	5,022,109	6/1991	Pekar			
	5,025,575	6/1991	Lakic			
	5,042,176	8/1991	Rudy			
	5,044,030	9/1991	Balaton			
	5,046,267	9/1991	Kilgore et al.			



	5,083,361	1/1992	Rudy			
	5,104,477	4/1992	Williams et al.			
	5,155,927	10/1992	Bates et al.			
	5,158,767	10/1992	Cohen et al.			
	5,179,792	1/1993	Brantingham			
	5,193,246	3/1993	Huang			
	5,199,191	4/1993	Moumdjian			
	5,224,277	7/1993	Sang Do			
	5,224,278	7/1993	Jeon			
	5,228,156	7/1993	Wang			
	5,235,715	8/1993	Donzis			
	5,238,231	8/1993	Huang			
	5,245,766	9/1993	Warren			
	5,253,435	10/1993	Auger et al.			
	5,257,470	11/1993	Auger et al.			
	5,297,349	3/1994	Kilgore			
	5,335,382	8/1994	Huang			
	5,337,492	8/1994	Anderie et al.			
	5,353,523	10/1994	Kilgore et al.			
	5,355,552	10/1994	Huang			
	5,367,791	11/1994	Gross et al.			
	5,406,719	4/1995	Potter			
	5,425,184	6/1995	Lyden et al.			
	5,543,194	8/1996	Rudy			
	5,558,395	9/1996	Huang			
	5,572,804	11/1996	Skaja et al.			
	5,595,004	1/1997	Lyden et al.			
	5,625,964	5/1997	Lyden et al.			
	5,669,161	9/1997	Huang			
	5,686,167	11/1997	Rudy			
	5,713,141	2/1998	Mitchell et al.			
	5,741,568	4/1998	Rudy			
	5,753,061	5/1998	Rudy			
	5,755,001	5/1998	Potter et al.			



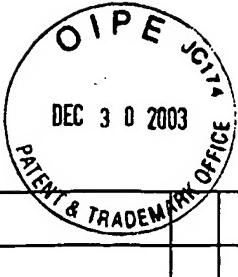
	5,771,606	6/1998	Litchfield et al.			
	5,802,739	9/1998	Potter et al.			
	5,830,553	11/1998	Huang			
	5,832,630	11/1998	Potter			
	5,846,063	12/1998	Lakic			
	5,902,660	5/1999	Huang			
	5,907,911	6/1999	Huang			
	5,916,664	6/1999	Rudy			
	5,925,306	7/1999	Huang			
	5,937,462	8/1999	Huang			
	5,952,065	9/1999	Mitchell et.al.			
	5,976,451	11/1999	Skaja et al.			
	5,979,078	11/1999	McLaughlin			
	5,987,780	11/1999	Lyden et al.			
	5,993,585	11/1999	Goodwin et al.			
	6,013,340	1/2000	Bonk et al.			
	6,027,683	2/2000	Huang			
	6,029,962	2/2000	Shorten et al.			
	6,055,746	5/2000	Lyden et al.			
	6,065,150	5/2000	Huang			
	6,098,313	8/2000	Skaja			
	6,119,371	9/2000	Goodwin et al.			
	6,127,010	10/2000	Rudy			
	6,128,837	10/2000	Huang			
	6,253,466	7/2001	Harmon-Weiss et al.			
	6,374,514	4/2002	Swigart			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES : NO
	181938	2/1906	Austria			X
	200963	12/1958	Austria			
	266718	1992	Japan			X
	6-181802	1994	Japan			X



	727,582	2/1966	Canada			
	1,195,549	11/1959	France			
	1,406,610	11/1965	France			X
	2,144,464	1/1973	France			X
	2,404,413	4/1979	France			X
	2,407,008	5/1979	France			X
	2,483,321	4/1981	France			X
	2,614,510	4/1987	France			X
	2,639,537	11/1988	France			X
	14,955	8/1893	UK			
	7,441	3/1906	UK			
	233,387	1/1924	UK			
	978,654	12/1964	UK			
	1,128,764	10/1968	UK			
	DE 32 34 086	9/1982	Germany			X
	G92 01 758.4	12/1992	Germany			X
	WO89/10074	11/1989	PCT			
	WO90/10396	9/1990	PCT			
	WO91/11928	8/1991	PCT			
	WO91/11931	8/1991	PCT			X
	WO92/08384	5/1992	PCT			
	WO95/20332	8/1995	PCT			
	Util. Model 54221	6/1978	ROC			X
	App. 75100322	1/1975	ROC			X
	0 094 868	5/6/1983	EPO			X
	0 215 974 A1	9/25/85	EPO			
	0 605 485 B1	9/4/1992	EPO			



OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Sports Research Review, NIKE, Inc., January/February 1990
		Brooks Running Catalog, Fall 1991

EXAMINER : DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
